

Moved by Fleischman and seconded by Garske to accept Annual Return of Disposed Items from the Public Defender.

Affirmative Vote: Fleischman, Garske, Gausman, Culver, Glawatz Motion Carried

Moved by Fleischman and seconded by Garske to accept the Surplus Property Disposal Request from the Extension Office.

Affirmative Vote: Fleischman, Garske, Culver, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Gausman to accept the Clerk of the District Court Fee Report for June 2018 in the amount of \$2,070.41.

Affirmative Vote: Fleischman, Gausman, Culver, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Culver to accept the County Treasurer's Annual Investment Report.

Affirmative Vote: Fleischman, Culver, Garske, Gausman, Glawatz Motion Carried

Commissioner Fleischman led discussion on the Resolution for a County Personnel Officer item on the agenda. She stated that there were many applications received for the HR Director position, but many applicants declined being considered because of the salary. It was mentioned the salary study that has not been received yet may show that the salary that was stated to applicants is not enough. She also stated hiring a person that did not have the necessary qualifications was not in the best interest of the county. In appointing the County Attorney as the County Personnel Officer, Joe Dalton, Chief Deputy County Attorney said the current staff can be trained in policy writing and that if the Commissioners want, they will hire within. Culver stated the job descriptions will be changed for the staff in the HR Office and Fleischman stated they will be cross trained. Glawatz said the Attorney's Office can delegate the work in the meantime and eventually an internal promotion may be possible. He hopes to build the HR organization and have the salary comparable when the salary study is complete.

Moved by Garske and seconded by Gausman to adopt Resolution No. 3386 in regard to creating and appointing the a County Personnel Officer and appoint the Seward County Attorney to this office through July 1, 2019 replacing the prior appointment of Commissioner Fleischman as acting HR Director.

SEWARD COUNTY BOARD OF COMMISSIONERS

Resolution # 3386

WHEREAS, on November 12, 2002, Seward County created the Seward County Personnel Policy Board pursuant to Resolution 2173.

WHEREAS, Neb. Rev. Stat. § 23-2539 provides that a county board having a personnel policy board may appoint a County Personnel Officer who shall be a person experienced in the field of personnel administration.

WHEREAS, the person appointed as a County Personnel Officer may be an elected county official, a member of the personnel policy board, a county employee, or a person employed for the position.

WHEREAS, the county board has determined that it is in the best interests of Seward County to create the position and appoint a County Personnel Officer.

THEREFORE, BE IT RESOLVED THAT, the position of County Personnel Officer is created in Seward County.

The Seward County Attorney shall be appointed through July 1, 2019 as the County Personnel Officer.

BE IT FURTHER RESOLVED THAT, the County Personnel Officer may, in addition to other duties imposed upon him/her by the County Board:

(1) Attend meetings of the personnel policy board and act as its secretary and keep minutes of its proceedings;

(2) Establish and maintain a roster of all employees in the classified service in which there shall be set forth as to each employee the class title, pay or status, and other pertinent data;

- (3) Establish and maintain a central record-keeping system for all county personnel records;
- (4) Foster and develop, in cooperation with appointing authorities and others, programs for the improvement of employee effectiveness, including training, safety, health, counseling, and welfare;
- (5) Encourage and exercise leadership in the development of effective personnel administration with the several county agencies, departments, and institutions; and
- (6) Perform such other lawful acts as the personnel policy board may direct.
- (7) The County Personnel Officer may delegate any of the above duties but is ultimately responsible for its administration.

VOTING AYE: Diana L. Garske, Eugene Gausman, Whitney Fleischman, John K. Culver, Roger E. Glawatz

DATED THIS 17TH DAY OF JULY 2018.

Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Gausman, Fleischman, Culver, Glawatz Motion Carried

Kim Payne, Office Manager of the Road Dept. presented 2 right of way permits for the Commissioners consideration.

Moved by Garske and seconded by Fleischman to approve the right of way request for Ken and Sarah Booth in the W ½ SW ¼ of Section 29 Township 11 N Range 1 East of the 6th p.m.

Affirmative Vote: Garske, Fleischman, Culver, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Gausman to approve the right of way request for Benny Engel in the NE ¼ of Section 20 Township 9 N Range 2 East of the 6th p.m.

Affirmative Vote: Fleischman, Gausman, Garske, Culver, Glawatz Motion Carried

Commissioner Culver reported that he has been in contact with Grimes Construction and stated that they are working on the additions to the Commissioners table. He also has been in contact with Ehlers and Tom Nielsen of Soarin' Group and talked about the quote that Ehlers gave for the electronics for the room. Culver mentioned that the Commissioners room can be used for other meetings, such as Planning & Zoning Commission, Personnel and Safety Committees, etc. Fleischman stated she was not in favor of the cost of the quote. Glawatz said he would rather have another person on the committee for this subject. Fleischman asked to be on the committee and Schweitzer said she would want to be included since she will be running the equipment. The Committee will meet and report back to the Commissioners on their recommendation.

Dan Hejl, Chief Deputy Sheriff provided an Interlocal document for the Commissioners consideration. He stated that Lancaster County reached out to the Seward County Sheriff's Office for the agreement. Being able to share resources would be of benefit to both departments.

Moved by Garske and seconded by Fleischman to authorize the Chairperson sign the Interlocal Agreement with Lancaster County for Law Enforcement Mutual Aid.

Affirmative Vote: Garske, Fleischman, Culver, Gausman, Glawatz Motion Carried

The Commissioners recessed at 9:41 a.m.

The Commissioners re-convened at 10:00 a.m.

Moved by Fleischman and seconded by Gausman to open the Public Hearing at 10:00 a.m. on the application for a Conditional Use Permit Application to operate a Large Livestock Feeding Operation for chickens on a tract of land in Precinct E, part of the S ½ NW ¼ of Section 1, Township 11 North, Range 1 East of the 6th p.m.

Affirmative Vote: Fleischman, Gausman, Culver, Garske, Glawatz Motion Carried

Becky Paulsen, Seward County Weed/Zoning Administrator gave a brief description of the application and the results of the Seward County Planning & Zoning Commission. She reported that the vote of the said Planning and Zoning Commission was 7-0 in favor of said application.

Those speaking in favor of said request were:

Adam Hladky, who applied for the permit; Jessica Kolterman, presenting Lincoln Premium Poultry; Andy Scholting and Jonathan Jank, Executive Director of Seward County Chamber Development & Partnership.

Moved by Fleischman and seconded by Garske to close the public hearing at 10:11 a.m. Affirmative Vote: Fleischman, Garske, Gausman, Culver, Glawatz Motion Carried

Paulsen then read the Finding of Facts Document as completed by the Planning & Zoning Commission.

The Commissioners completed their Finding of Facts document which mirrors the Planning & Zoning Commission and is printed below.

Moved by Fleischman and seconded by Culver to adopt Resolution 3387 in regard to approving the application for a Conditional Use Permit Application to operate a Large Livestock Feeding Operation for chickens on a tract of land in Precinct E, part of the S ½ NW ¼ of Section 1, Township 11 North, Range 1 East of the 6th p.m. per the recommendation of the Zoning Administrator.

RESOLUTION NO. 3387 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, Adam Hladky representing HLADKY CHICKEN RANCH LLC. has applied for a Conditional Use Permit for a Livestock Feeding Operation, and

WHEREAS, The property is described as part of the South 1/2, of the North West 1/4 of Section 1, Township 11 North, Range 1 East, Seward County, Nebraska, and

WHEREAS, The Planning Commission held a public hearing to consider the application at a regular meeting June 25, 2018, and

WHEREAS, Notice of the public hearing was published in the Seward County Independent, the Milford Times and posted on the property, and

WHEREAS, The Planning Commission recommended Approval of the Conditional Use Permit, with conditions, by a vote of 7 In Favor, 0 Against, and 0 Absent and Not Voting, and

WHEREAS, The conditions of approval are;

1. A County Road Department assessment of Route(s) on County Roads.
2. Any future development or expansion would require another Conditional Use Permit
3. The Conditional Use Permit is only for the current owners of the property.
4. No vehicles would be allowed to park on the County Road or right-of-way.

WHEREAS, The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting July 17, 2018, and

WHEREAS, Notice of the public hearing was published in the Seward County Independent, the Milford Times and posted on the property, and

WHEREAS, X No one appeared to oppose said Conditional Use
___ Individuals appeared to oppose said Conditional Use
___ No one appeared to support said Conditional Use
X Individuals appeared to support said Conditional Use,
X Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby approve X or ___ deny the Conditional Use Permit, along with the conditions of approval, for Adam Hladky, owner of HLADKY CHICKEN RANCH LLC. for a Conditional Use in the Ag District, on a tract of ground located in part of the South 1/2, of the North West 1/4 of, Section 1, Township 11N, Range 1E. Precinct E, Seward County, Nebraska. *Finding of Facts Attached Below*

MOTION BY: Fleischman SECONDED BY: Culver

Roll Call:

Ayes: Whitney Flesichman, John K. Culver, Eugene Gausman, Diana L. Garkse, Roger E. Glawatz, Chairman, Board of Commissioners

July 17, 2018 ATTEST: Sherry Schweitzer, Seward County Clerk

BEFORE THE COUNTY BOARD OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF)
) NO. 1
CONDITIONAL USE PERMIT)
REQUEST BY:)
) FINDINGS OF FACT
))
HLADKY LLC)
APPLICANT)

THIS MATTER came before the County Board on the request of the Seward County Planning Commission. A Public hearing was held on the 17th day July, 2018. Notice of said hearing was publicized on the 4th day of July, 2018.

THE PLANNING COMMISSION recommended to

X approve the conditional use permit

_____ deny the conditional use permit

UPON REVIEW of all necessary facts, the Board of Commissioners makes the following findings that:

1. Y The use, in all other respects, conforms to the applicable regulations of the district in which it is located in the Agricultural District
2. Y The use has adequate water, sewer, and drainage facilities. No holding pit for animal waste
3. Y The use is in harmony with the character of the area and the most appropriate use of the land, Ag operation in agricultural area.
4. Y The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the county. Buffer is in place.

5. Y The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. Surrounding property zoned AG.
6. Y The use will not impede the normal and orderly development of the surrounding property for uses permitted in the district. Surrounding property zoned AG.
7. Y The use has adequate utilities, access roads, and drainage facilities. Road Department summary of affected county roads.
8. Y That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Proper approach permit per the County Road Dept.
9. Y The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
10. Y The use does not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation. This is a controlled environment.
11. Y The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property. A study on odor footprint is available
12. Y The use does not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.
13. Y The use does not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion. No vehicles will be allowed to park on the County Road or Right of Way.
14. Y The use does not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments. Seward County Department of Road Assessment.

Specific Findings of Fact:

1. Any future development or expansion will require an additional Conditional Use Permit
2. This Conditional Use is only for the current landowner of the property.
3. No vehicles will be allowed to park on the County Road or Right of Way,

Specific Findings of fact

Follow all Regulations

Further recommend specific conditions that are necessary or desirable to address the most appropriate use of the land, the conservation and stabilization of the value of property, the provision of adequate open space for light and air, concentration of populations, congestion of public streets, and the promotion of the general health, safety, welfare, convenience, and comfort of the public.

DATED THIS 17TH DAY OF July 2018.

Whitney Fleischman, John K Culver, Eugene Gausman, Diana L. Garske, Roger E. Glawatz

Affirmative Vote: Fleischman, Culver, Gausman, Garske, Glawatz Motion Carried

Paul Moyer of the Nebraska Dept. of Agriculture presented the 2017 Seward County Noxious Weed Review Report.

Moved by Fleischman and seconded by Gausman to go into Executive Session at 10:37 a.m. for pending litigation.

Affirmative Vote: Fleischman, Gausman, Culver, Garske, Glawatz Motion Carried

The Chairman stated the Executive Session was for Pending Litigation.

Moved by Fleischman and seconded by Gausman to go out of Executive Session at 10:44 a.m.

Affirmative Vote: Fleischman, Gausman, Culver, Garske, Glawatz Motion Carried

The Chairman stated the Executive Session was for Pending Litigation and no action was taken.

The Commissioners recessed at 10:45 a.m.

The Commissioners re-convened at 10:47 a.m.

Budget meetings were held with various officials. The officials meeting with the Commissioners and their respective budgets were:

Wendy Elston – County Attorney budget, Attorney Grant budget, Attorney Drug Fund budget (2), and the Personnel Office (HR Dept.)

Sheila Beins – County Court

Tina Marroquin – Public Defender

Jacque Stewart – Clerk of the District Court

Carrie Gottschalk – Extension Office

The Commissioners recessed at 12:10 p.m.

The Commissioners re-convened at 12:40 p.m.

Commissioner Fleischman is absent at 12:40 p.m.

No one was in attendance for the Road Dept. budget meeting.

Joe Yocum - Sheriff Budget and Sheriff Drug Fund budget (2)

Jeff Baker – Veteran’s Service Office, Veteran’s Aid, Public Transit

Ron Nissen - Surveyor

Known items on the agenda for Board of Equalization on July 24, 2018 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve Minutes of July 10, 2018
4. Discuss/Action – Tax List Correction 158-17P & 159-17P
5. Discuss/Action - 3 Year Plan of Assessment
6. Discuss/Action - Assessor Information Update

8:30 a.m. Discuss/Action - Valuation Protest Hearing

Discuss/Action - Decisions of Valuation Protests

Known items on the agenda for Board of Commissioners on July 24, 2018 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance

3. Discuss/Action - Approve minutes of July 17, 2018

Other Business Matters to Address When Time Allows

4. Discuss/Action – Public/Officials/Boards
 5. Commissioner’s Reports
 6. Discuss/Action – Accept County Treasurer Listing of Uncollected Distress Warrants
 7. Discuss/Action – Accept Sheriff/Treasurer Distress Reconciliation of Distress Warrants Dollars Collected
 8. Discuss/Action - Res. – Strike Personal Property Taxes
 9. Discuss/Action - Commissioner Room Remodel
- 10:00 a.m. Discuss/Action - Budget Meetings

Moved by Gausman and seconded by Culver to adjourn at 1:10 p.m.

Affirmative Vote: Gausman, Culver, Garske, Glawatz

Motion Carried

State of Nebraska)
County of Seward) ss.

I, Sherry Schweitzer, the undersigned County Clerk of Seward County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 24th day of July 2018.

County Clerk

Chairperson